UNITED STATES DISTRICT OF			
155 WOOSTER LLC,	Plaintiff,	X : : : :	20-CV-4044 (JMF)
-v- LORI BRUNO, et al.,	Defendants.	: : : :	<u>ORDER</u>

JESSE M. FURMAN, United States District Judge:

On September 17, 2020, Plaintiff 155 Wooster LLC ("155 Wooster") filed a motion for summary judgment against Defendant Lori Bruno pursuant to Rule 56(a) of the Federal Rules of Civil Procedure. *See* ECF No. 14. In its motion, 155 Wooster seeks summary judgment on the second and third causes of action in its Amended Complaint, *see* ECF No. 8 ¶¶ 43-57, as well as a dismissal of Bruno's affirmative defenses, *see* ECF No. 9 at 12. As Bruno did not file any opposition to the motion, the Court, on October 9, 2020, ordered her to show cause by October 23, 2020, why 155 Wooster's motion should not be deemed unopposed. ECF No. 21. The Court warned Bruno that failure to show such good cause "will result in [155 Wooster's] motion being deemed unopposed." *Id.* Bruno has not filed any opposition.

An unopposed motion for summary judgment may be granted "only if the facts as to which there is no genuine dispute show that the moving party is entitled to judgment as a matter of law." *Champion v. Artuz*, 76 F.3d 483, 486 (2d Cir. 1996) (internal quotation marks omitted). Upon review of 155 Wooster's motion papers and supporting evidence, the motion is GRANTED in its entirety, substantially for the reasons stated in 155 Wooster's memorandum of

Case 1:20-cv-04044-JMF Document 22 Filed 10/27/20 Page 2 of 2

law. ECF No. 18.

155 Wooster asks the Court to refer the case to a "Special Referee" to determine the amount of attorney's fees to be awarded with respect to its third cause of action, but the Court declines to do so. Instead, 155 Wooster shall file a motion for attorney's fees, supported by contemporaneous billing records, no later than **November 10, 2020**; any opposition to that motion shall be filed by **November 17, 2020**. No reply may be filed without leave of Court.

United States District Judge

The Clerk of Court is directed to terminate ECF No. 14.

SO ORDERED.

Dated: October 27, 2020

New York, New York